

# **Exhibit 5**



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April 23, 2021

***VIA ELECTRONIC MAIL (dvannort@mofo.com)***

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**Phillip W. Goter**  
Principal  
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612 337 2535 direct

*Re: Finjan, Inc. v. Palo Alto Networks, Inc.*  
Case No. 14-cv-04908 (PJH) (N.D. Cal.)

Counsel,

We write in response to your April 15, 2021 letter. We appreciate that PAN acknowledges the urgency of updating document production due to upcoming deadlines. Since the stay was lifted, Finjan has been diligent in its efforts to supplement its document production. While Finjan has in fact updated its document production, PAN has failed to produce even a single document since the Court lifted the stay nearly three months ago.

Finjan's response is as follows regarding the issues raised in your letter:

**1. Request for Production Nos. 1, 2, 26-32, 38-41, 85, 86 and Interrogatory Nos. 1, 2.**

Finjan will produce prior art identified in other Finjan cases such as SonicWall, Rapid7, Qualys, Cisco, Juniper, and ESET. Aside from that, Finjan has already identified and produced all prior art to the asserted patents.

**2. Request for Production Nos. 10, 11, 21, 24, 26-32, 38-41, 66-71, 85, 86.**

Finjan has already produced invalidity contentions, trial transcripts, trial exhibits, discovery, and expert reports from Blue Coat, Symantec, Proofpoint, Sophos, and Websense. Finjan will update its production with the requested documents from SonicWall, Rapid7, Qualys, Cisco, Juniper, and ESET.

**3. Request for Production Nos. 14, 42, 75-78 and Interrogatory Nos. 5, 9.**

We do not see that there is any dispute with respect to these discovery requests.



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**4. Request for Production Nos. 3, 4, 14, 26-29, 32, 58-64, 75-78, 82, 86 and Interrogatory Nos. 4, 5.**

Documents regarding the sale to Fortress are not relevant and are protected under attorney-client privilege, work-product privilege, and the common interest doctrine. Thus, Finjan will not produce any documents regarding the sale to Fortress.

**5. Request for Production No. 5-9, 12, 13.**

Shlomo Touboul's consulting agreement can be found at FINJAN-PAN 127931-7939. There are no other consulting agreements and/or payments or compensation made to any of the other named inventors.

Sincerely,

*/s/ Phillip W. Goter*

Phillip W. Goter